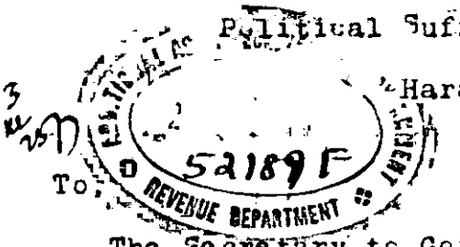
FOR MYSORE STATE

From

L. Anantha Rao,

Political Sufferer,

Harapanahalli, Bellary Dst.



To

The Secretary to Government,,

(Revenue Dapartment) Madras

I beg to submit the following grounds of appeal against the decision of the Board of Revenue passed in its L.Dis. B. 2379/50 dated 24-4-50.

That the order of rejection of my appeal to the Board of Revenue for assignment of S.No 515 of Harapanahalli village of Harapanahalli Taluk, Bellary District, is not based on any statutory or executive order of either the Government or the Board. The grounds of appeal have not been considered on the merits of the case but the Board has merely relied on the Non-official Committee's opinion that Chowdappa was the earlier applicant than myself. The consideration - who has the better claim when more applications than one for the same land are received, - has not been dealt with by the Board to uphold the Collector's action, though the facts of the case have been adequately dealt with in paras 5 and 6 of the appeal petition to the Board. From the facts of the case setout in the said paras, it has to be proved beyond all reasonable doubt that the appellant has prior claim over the other applicant, Chowdappa -who could not prove his case except the fact that he has been over by the Nonofficial Advisory Committee, one of the members of whom, by name Sirasappa Ijari a relative of his own has interest in him. If the opinion of such Committee which is not able to prove its own case, is taken into consider-

ion as against the applicant's case the applicant's

of my type will have no voice to ventilate the greivances though I have suffered as much as the other applicant for the common object of achieving Independance .

In the above circumstances, I request that the Popular Government will be pleased to call for records and assign the S.No.515 of Harapanahalli in my name.

I also request that till the disposal of the petition , the orders passed by the Board and Collector, may be stayed -

The copies of the orders of the Collector and Board of Revenue are enclosed.

I beg to remain

Sir,

Sincerely Yours,

K. Anantharam

Proceedings of the Collector , Bellary.
E.C.Allardice Esq.,I.C.S.,

Rc.No.2215/49.A.3 13-2-1950

Sub;- Assignment- Land - Grant to Political sufferers- Harapanahalli taluk - and village- S.No.515- application of Sri.L.Anantha Rao-and Sri.S.Chudappa

Read.. Application of Sri.S.Chudappa dated 6-6-1949
Application of Sri.L.Anantha Rao, dated 7-9-1949

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In the Advisory Committee meeting held at Bellary on 3-2-1950 Sri.T.Subramanyam and Sri.I Sirasappa, Advisory Committee members, have considered that Sri. Chudappa has a better claim for S.No.515 of Harpanahalli village. Hence Sri. Chudappa's claim was upheld. The application of Sri.L.Anantha Rao for S.No.515 of Harpanahalli village is rejected. He is advised to apply for some other lands. His application for S.No.107 of Narayanapuram village is under correspondence.

Sd.R.Anniah Naidu,
For Collector

/ True copy/

Office of the Board of Revenue,
L.Dis.B.2379-50 Chepauk, Madras Dated.24-4-50

Sri.W.R.S. Sattianathan, I.C.S.,
Commissioner of Land Revenue

Sub. Assignment - Land - Grant to Political sufferers Bellary District - Harpanahalli taluk and village- S.No.515- Appeal petition of Sri. L.Anantha Rao-

Read;- Appealpetition dated Nil from L.Anantha Rao
2. From the Collector of Bellary, R.O.C.A.3. 2215-49 dated 21-3-50

L.Dis.

The Board of Revenue has perused the appeal petition and the connected records. As the counter petitioner was able to satify the non-official Advisory Committee that he was the earlier applicant, the Board sees no reason to interfere on behalf of the petitioner. The appeal petition is rejected.

A.Somasundaram
Assistant Secretary.

To the Collector of Bellry with his office current file (18)pages and the proceedings of the Advisory committee Thepetitioner through the Collector of Bellary

True copy/

IN THE COURT OF THE BOARD OF REVENUE, MADRAS

Appeal No. /50

L.Anantha Rao ;. Appellant

Appeal against the orders of the Collector ofBellary, Rc.No.2215/49.A.3 dated 13-2-1950 rejecting the application of appellant for the grant of S.No.515 ofHarpanahalli village in Harpanahalli Taluk of Bellary District.

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The appellant begs to submit the following among other grounds of appeal.

1. That the order of the rejection of the applicant's application for assignment of S.No.515 of Harpanahalli village is against law, weight of evidence and probabilities of the case.

2. That the appellant had undergone imprisonment duri Civil Disobedience Movement in 1930 and had suffered thereby for the common object of achieving independence.

3. That after the declaration of Independance, the Government ofMadras in their order No.1523, Revenue dated 11-6-1949 were pleased to issue instructions that political sufferers should be granted relief by the grant of lands. In pursuance of the directions contained in the said order, every political sufferrer is entitled for an assignment of not more than 15 acres of dry and 5 acres of wet land, irrespective of the fact whether he is a landholder or not.

4. That in order to make provision for the appellant and his family the appellant sought relief at the hands of Government by applying to the authorities concerned the details of which are narrated in para 5 supra.

5. That the appellant's case is briefly detailed

He applied on 6-7-1948 to the Collector of Bellary for assignment of S.No.515 of Harpanahalli village as the latter officer is the authority competent to entertain petitions from Political sufferers. He also sent copies of the petition to the Local Tahsildar of Harpanahalli and to the President of the District Advisor Committee. The fact of having sent the application to the Collector on that date is borne by an acknowledgment of the postal Department and this finds place in the Collector's file. His name also finds place in the list of Political sufferers filed in the Collector's office.

Some time after, the application was considered in the District Advisory Committee Meeting presided over by the Collector, Bellary, when one Mr. Chudappa of the same place contended that he had applied for the assignment of the same land earlier than 6-7-1948. As the date of application is the criterion when more than o applies had also to be considered and he was asked by the Collector to produce any, the documentary evidence n proof of having presented his petition earlier. He ould not produce any. The Advisory Committee Members upported his case by saying that they were aware of such petition. Even the District Advisory Committee, Presid ho first said, he might have had one, could not produce ny original petition dated 23-12-1947. Thus it was roved beyond doubt that the said Chudappa did not in act present any petition prior to 6-7-1948.

In spite of the above facts, the District Collector pheld the cause of Chudappa on 3-2-1950 on the recommend- tion of Sri. T. Subramanyam and I. Sirasappa, Advisory ommittee Members, presumably, on the pleas that

Chudappa is a landlesspoor. This is against the spirit of the instructions contained in G.O.No.1523, Revenue, dated 11-6-1949 according to which every Political sufferer owning lands are also eligible for the grant of lands.

That in this connection, the appellant brings to the notice of the Board that Sri. Sirasappa is a close relative of Sri. Chudappa and he is an influential man and a friend of Sri. Subramanyam and as such prevailed upon him to support the idea. They some how advised the Collector to dispose of the case in favour of Chudappa and unfortunately the Collector upheld their view, despite a petition presented to him by the appellant on 3-2-1950 disclosing the above facts.

That the appellant feels that great injustice has been done to him and prays that the orders of the Collector in his Rc.No.2215/49.A.3 dated 13-2-1950 rejecting the application of the applicant be set aside and the land assigned to him.

The appeal is in time and the order of the Collector is filed herewith.

(True Copy) (Sd) L. Ananta Rao
APPELLANT

Memo no. 52189 F/50.1 dated 14.9.50

Land - Grant to political Sufferers - (Bellary) - Harpanahalli taluk and village - S.no. 515 - ~~Appeal~~ Petition of Sri L. Anantha Rao - Rejected - ~~Reconsideration - Request Refused~~

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From Sri L. Anantha Rao, petition dated 20.7.50.

—. ~~decline~~

The Govt ~~decline~~ to interfere on behalf of the petitioner. The petition is rejected.

12.7.50
10.8.50
KKR 10/8/50

11/8/50

Note

- Please see the petition and its enclosures in ff cf. It is seen from the petition on pp 1-2 cf that the petitioner approached the Board of Revenue against the orders of the collector of Bellary in the matter. The Board ~~has~~ rejected the petitioner's case, stating that it saw no reason to interfere on behalf of the petitioner. Please see the copy of the Board's proceedings on p 3 cf. ~~It is understood in the connection that before~~ The petitioner in his petition on pp 1-2 above requests that the land in S.no. 515 of Harpanahalli may be assigned in his favour and that pending disposal of the petition the orders of the Collector as the Board may be stayed. The Collector ~~reported~~ has stated in his proceedings dated 13.2.50 that the members of the Advisory Committee considered that Sri Thudappa had a better claim for the land in question and that therefore ~~the~~ his claim was upheld. It is submitted in this connection that the Govt held the view that when the Collector in consultation with the advisory committee assigns lands to one applicant in preference to another, the Govt should decline to interfere with such a decision & the inter- ... ...

/tants who is not favoured with the Grant of
Further, the petitioner is not the first applicant for the land
D/ In the circumstances it is for orders.

then the Govt may decline to interfere
behalf of the petitioner. Subject to orders of
Sr memo is submitted herewith for approval.

EM
11/8/82

EM
11/8/82 D5

7/8/82 D4

The Board has thrown down the
prest of the petr only after perusal
the connected records.

The petn is rejected

Ur
13.8.82